IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

Con.Case(C).No. 763 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.5877/2007 Dated 21/02/2007

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PETITIONER/PETITIONER IN WPC:

NUJUMUDEEN ALUMMOOTTIL, AGED 40 YEARS,
S/O.MR.USMANKUTTY,(PATRON,ACTION COUNCIL
FOR THE ESTABLISHMENT OF CENTRAL PRIVATE
BUS STAND, KAYAMKULAM) RERSIDING AT
ALUMMOOTTIL HOUSE,P.O.KAYAMKULAM,
CHERAVALLY, ALAPPUZHA DISTRICT-690 502.

BY ADV. SRI.TPM.IBRAHIM KHAN

RESPONDENTS:

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1. K.A.KALAM, AGED 62 YEARS,
S/O.KOCHASSAN KUNJU, CHAIRMAN, KAYAMKULAM
MUNICIPALITY (RESIDING AT CHIRAYIL HOUSE,
P.O.ERUVA KAYAMKULAM).

2. A.HASSAN KOYA, AGED 60 YEARS,
S/O.AHMED KUTTY, DEPUTY CHAIRMAN,
KAYAMKULAM MUNICIPALITY
(RESIDING AT PERETH HAZEENA COTTAGE,
CHERAVALLY,P.O.,
KAYAMKULAM.

3. R.SUDHEER RAJ, AGED 50 YEARS,
FATHERS'S NAME NOT KNOWN TO THE PETITIONER,
(SECRETARY, KAYAMKULAM MUNICIPALITY),
MUNICIPAL OFFICE, KAYAMKULAM.

BY ADV. SRI.R.RAYA SHENOY
SRI.R.PRASANTH KUMAR

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

C.C.C No. 763 OF 2007

Dated this the 7th day of September, 2007

JUDGMENT

Mr.Ibrahim Khan, counsel for the petitioner submits that the Contempt Case can be closed. Mr. Raya Shenoy, Standing Counsel for the Municipality submits that it was by suppressing material facts that the petitioner approached this Court. According to Mr.Raya Shenoy, Ext.P5, in respect of which relief was sought for, had not actually been filed by the petitioner even at the time when he filed the Writ Petition. In that way the very judgment in respect of which this Contempt application is filed was unwarranted. The above submissions are refuted by Mr.Ibrahim Khan. May be there is some merit in what Mr.Shenoy submits. But I do not propose to decide that issue since the Contempt Case is not pressed by the petitioner.

The Contempt Case is closed.

PIUS C. KURIAKOSE, JUDGE

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